

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION**

United States of America	§	
<i>ex rel.</i> Alex Doe, Relator,	§	
	§	
The State of Texas	§	No. 2:21-CV-00022-Z
<i>ex rel.</i> Alex Doe, Relator,	§	
	§	
The State of Louisiana	§	
<i>ex rel.</i> Alex Doe, Relator,	§	Date: October 24, 2023
	§	
<i>Plaintiffs,</i>	§	
v.	§	
	§	
Planned Parenthood Federation of America,	§	
Inc., Planned Parenthood Gulf Coast, Inc.,	§	
Planned Parenthood of Greater Texas, Inc.,	§	
Planned Parenthood South Texas, Inc., Planned	§	
Parenthood Cameron County, Inc., Planned	§	
Parenthood San Antonio, Inc.,	§	
	§	
<i>Defendants.</i>	§	

**DEFENDANTS’ UNOPPOSED EMERGENCY MOTION FOR EXPEDITED  
CONSIDERATION OF DEFENDANTS’ UNOPPOSED MOTION FOR EXTENSION OF  
TIME TO FILE REPLY BRIEF(S) (ECF NO. 552)**

Defendants Planned Parenthood Federation of America, Inc. (“PPFA”), Planned Parenthood Gulf Coast, Inc., Planned Parenthood of Greater Texas, Inc., Planned Parenthood South Texas, Inc., Planned Parenthood Cameron County, Inc., and Planned Parenthood San Antonio, Inc. (together “Affiliate Defendants,” and collectively with PPFA, “Defendants”) respectfully request that the Court grant their Unopposed Motion for Extension of Time to File Reply Brief(s), ECF No. 552, on an expedited basis. Absent a ruling today on the unopposed motion, Defendants’ replies in support of their Motion for Judgment on the Pleadings, ECF Nos.

533, 534, would be due tomorrow.<sup>1</sup>

In support of the relief requested, Defendants' state the following:

1. Defendants filed a Motion for Judgment on the Pleadings on September 1, 2023, arguing for the dismissal of Relator's and Texas's claims on the grounds that *qui tam* provisions of the False Claims Act, Texas Medicaid Fraud Prevention Act, and Louisiana Medical Assistance Programs Integrity Law are unconstitutional. ECF Nos. 533, 534.

2. After receiving two extensions from this Court (ECF Nos. 542, 545), Plaintiffs filed separate responses to Defendants' Motion for Judgment on the Pleadings on October 11, 2023. ECF Nos. 547, 548.

3. On October 18, 2023, Defendants filed an unopposed motion requesting an extension of time to file their reply brief to November 3, 2023. ECF No. 552.<sup>2</sup>

4. Without a decision from the Court on Defendant's Unopposed Motion for Extension of Time to File, Defendants' reply is due tomorrow, Wednesday, October 25, 2023.

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<sup>1</sup>This Court's Memorandum Opinion and Order on the parties' summary judgment motions states:

[REDACTED]

Accordingly, the briefing has not closed and Defendants' replies are still due. Defendants therefore maintain their emergency request for expedited consideration of their unopposed motion for extension of time to file reply brief(s).

<sup>2</sup> Defendants' motion (ECF No. 552) also included a request to file a consolidated twenty-page reply brief instead of two ten-page reply briefs. Plaintiffs consented to Defendants filing a fifteen-page consolidated reply brief.

For the foregoing reasons, Defendants respectfully request the Court grant Defendants' Unopposed Motion for Extension of Time to File Reply Brief(s) on an expedited basis.

Dated: October 24, 2023

Respectfully Submitted,

ARNOLD & PORTER KAYE SCHOLER LLP

/s/ Tirzah S. Lollar

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Respectfully submitted,

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**CERTIFICATE OF CONFERENCE**

On October 23 and 24, 2023, counsel for Defendants conferred with counsel for Plaintiffs regarding the relief requested in this motion. Plaintiffs stated they are unopposed.

/s/ Tirzah S. Lollar

Tirzah S. Lollar

**CERTIFICATE OF SERVICE**

I hereby certify that on October 24, 2023, the foregoing document was electronically filed with the Clerk of Court using CM/ECF.

/s/ Tirzah S. Lollar

Tirzah S. Lollar